IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No.5555 of 2004

Smt.Shantabai Sahebrao Bhise ..Petitioner

vs.

1. The Secretary
Zopadpatti Ponarvasan & ors. ..Respondents

Shri K.R.Jagdale for petitioner.
Shri G.D.Utangale for respondent no.1.
Shri C.R.Sonawane, A.G.P. for respondent no.2.

CORAM: A.P.SHAH AND
S.C.DHARMADHIKARI JJ
1st December,2004

P.C.

1. Heard Advocates.

2. Learned Advocate appearing for respondent nos. 1 and 2 pointed out that the petitioner has got an alternate remedy of preferring an appeal against annexure II issued by B.M.C. and in case appeal is preferred the Appellate Authority will decide the same in accordance with law.

3. Learned Counsel for the petitioner states that petitioner will prefer appeal to the Appellate Authority within a period of two weeks from today. The Appellate Authority shall hear the petitioner as well as respondent no.3, society and developers and pass appropriate order in accordance with law

within a period of 3 months from the date of receipt of the appeal. Pending decision of the appeal and in case order is adverse to the petition for a period of 4 weeks from the date of communication of such order to the petitioner, the petitioner’s structure shall not be demolished.

4. Petition is accordingly disposed of.

5. Issuance of certified copy expedited.